

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Michael Grassi, et al.,

Case No. 1:18-cv-02619-PAB

Plaintiffs,

-vs-

JUDGE PAMELA A. BARKER

John Grassi, et al.,

ORDER

Defendants.

1. Defendants' Objections to Plaintiffs' Exhibits

The Court has reviewed Defendants' objections to Plaintiffs' exhibits for which Defendants claim certain exhibits are protected by the attorney-client privilege. The Court finds that Plaintiffs' exhibits 2, 5, 42, 155, 157, 186, 187, 188, 189, 190, 190A, 190B, 190C, and 191 are protected by the attorney-client and/or work-product privilege and are precluded from being admitted at trial.

As to Plaintiffs' exhibits 2 and 3, portions of those documents are protected by the attorney-client privilege, while other portions are not. To the extent the exhibits contain communications between Alotech and its counsel and third-party Honda and its counsel, those communications are not privileged. Internal communications between Alotech and its counsel, not including third-party Honda, are protected by the attorney-client privilege. Defendants are thus ordered to redact the portions of exhibits 2 and 3 that are protected by the attorney-client privilege and provide redacted versions of those exhibits to Plaintiffs.

As to Plaintiffs' exhibit 154, both parties are ordered to submit additional briefing as to why the initial email from Michael Grassi to John Grassi is or is not privileged. The additional briefing

should cite applicable case law and be no longer than two (2) pages. This briefing is to be filed by 4:30 p.m. on November 30, 2022.

2. Joint Preliminary Statement

In the Civil Trial Order, counsel for the parties were ordered to prepare and submit a Joint Preliminary Statement, not to exceed one (1) page, describing the case in an impartial, easily understood and concise manner for use by the Court either during *voir dire* or at the time the jury is impaneled. The parties failed to do so. The parties are ordered to prepare and submit a Joint Preliminary Statement by 4:30 p.m. today, November 29, 2022. If the parties disregard the Court's Order any further, the Court will order the parties to show cause as to why they should not be held in contempt.

IT IS SO ORDERED.

Date: November 29, 2022

s/ Pamela A. Barker
PAMELA A. BARKER
U. S. DISTRICT JUDGE